Route 12 - Old Receiver Road
Frederick, Md. 21701

May 20, 1977

FOIA/PA Officer
Energy Research & Development Agency
Washington, D. C. 20545

Dear Sir:

This request for information is under both FOIA and PA.

Some years ago when I heard that the eminent Dr. Luis W. Alvarez, of the Lawrence Berkeley Laboratory, University of California, Berkeley, California, was about to foist off on a trusting scientific community his pseudoscience in a nonstudy of the assassination of President Kennedy, I wrote the American Journal of Physics and asked for what with the electronic media would be considered "fairness." I believe I then informed it that the Nobel laureate began with what in plain language is a ripoff of my work reported to him by his students.

Dr. Alvarez's article did not then appear.

It has since. I did not receive a copy until today. It begins on page 813 of Volume 44, the issue dated September 1976. It is noted that his article was received January 26, 1976. And that the article is copyrighted by the journal.

The title is "A physicist examines the (sic) Kennedy assassination film.**" The footnote to the title reads, "This work was done with support from the U.S. ENergy Research and Development Administration," followed by a disclaimer of ERDA and Lawrence Berkeley lab responsibility for the opinions expressed.

This gets to why I also invoke PA.

Long before ERDA was created, this Nobel laureate claimed nationally, including on coast-to-coast CBS-TV, that the detection of what he called "streaks" in one of the films of the assassination were the end product of all his years of labor in impartial science. Apparently, he later came to realize that there might be some meaning in the copyright laws because on page 815 he writes, "For a long time I thought that I had been the first person to attribute significance to the streaks I've just mentioned. But apparently Harold Weisberg did it first in his book Whitewash." Here there is an inaccurate footnote. He misdates that 1965 work to 1966.

Ten years ago Dr. Alvarez attributed his interest in the JFK assassination to his students, those who read Whitewash, the first book on the Warren Report.

In this I am not merely raising questions of simple honesty. I am leading into the request I am making.

I am aware that Dr. Alvarez, in expressing his obligation to the support of ERDA, may be referring to that part of the former Atomic Energy Commission now ERDA. But there is no question of his expression of indebtedness for the support of ERDA.

This means that the support was as of shortly after my first book was generally available in California, in 1966, or after ERDA existed. I do not recall the exact date, but it was after correspondence I have in my Civil Action 75-226 with the Atomic Energy Commission, correspondence of mid-October 1974. ERDA is a defendant in that action.

Of course, I have the most troubling questions about what business the JFK assassination or film on it are of ERDA's, how either relates to the research or development of energy. I also have questions about providing "support" in any form to a politicization of this great tragedy, however this amateurish politicization may be disguised.

I am asking for all records of any nature or origin in any way relating to the project and to any support of Dr. Alvarez's adventure into political sycophancy, whether it be by the AEC or the present ERDA.

I ask for any and all records establishing the legitimacy of the expenditure of public funds, including statutory authority.

In addition to those records of this expenditure of public funds, I am asking for any available tabulation of the granting of public funds to any and all institutions of which Dr. Alvarez is or has been part or by which he has been employed, not limited to the University of California or its Lawrence Berkeley Laboratory and for any and all purposes.

I want any and all reports or anything else of whatever form provided by Dr. Alvarez in return for this support, copies of all relevant records and of correspondence or records of any other form of communication, whether or not with Dr. Alvarez or any associates or relating to them and/or this or related projects.

I want all records of whatever form or origin in any way relating to any use or distribution by the government of anything provided by Dr. Alvarez in return for this support. By this I intend to include distribution, reactions, critiques or any other form of comment, whether or not within the executive agencies of the government.

If there is a legal sanction for the expenditure of public funds to obtain a copyright for the recipient of this support, I would like that record also.

If there are records bearing on or relating to what was code-named Project Jason, of which I understand Dr. Alvarez was part, I request those also. In addition, any and all Project Jason records.

There is, in short, no record of any nature or in any way, no matter how indirectly relevant, that I am not seeking.

Because of the large number of people in your agency and the possibility that what one knows others may not know, I spell out what seems obvious to me.

There is every reason to believe that Dr. Alvarez knew of my work at the beginning of his adventures, about 1966. He then pretended my work was his work.

If this is not true, then it is true that it was impossible for ERDA to have extended this support until after it knew it would be a defendant in CA 75-226 or was in fa fact a defendant in that cause. My first efforts along this line date to May 1966. The request embodied in CA 75-226 is of 1974, before ERDA had an independent existence.

Separate from the question of ERDA's expenditure of <u>any</u> public funds in <u>any</u> kind of support, and I do regard this as a very serious question, there is the question of its intrusion into my life and my work and, of course, into any political controversy about the official investigation of the JFK assassination, on any side of the controversy.

I am not a lawyer and I do not know whether or not what I now seek should have been provided under discovery in CA 75-226. However, I believe that if it had been ERDA's intent to be forthcoming, within the clear intent of the ACts, it would have provided what I now seek even if technically it was not included in what was asked for under discovery. I do believe that in keeping this nasty business secret, ERDA may

well have compromised the Court. I believe that its partisanship on this intensely political matter should not have been kept secret from the Court. I believe this more strongly because I cannot imagine any stretching of any authorization that can justify any ERDA support of any kind to such an endeavor, without regard to the specific content of Dr. Alvarez's article.

In my opinion, which may not interest you, it debases science in a tarnished political cause, a very questionable one. For openers, the title states a falsehood, that there was only one film of the JFK assassination. Dr. Alvarez also admits not having read that to which he claims to respond.

If there are copies of any report or anything of that nature provided on this matter by Dr. Alvarez, then I ask for the same support and for the same distribution of what I would provide by way of commentary. I am not a physicist. After reading this article, I add thank God! But I do know something about evidence and in this civil action your agency's own counsel has told the court I know more about the matter and its investigation than anyone now in the FBI. These are credentials your Nobel laureate cannot boast.

Under the Acts I am entitled to copies of records only. However, given the nature of this request and what I report, I do hope that someone in a position to speak for ERDA will undertake to explain what in the world you were doing getting mixed up in a subject of intense and political disagreement in which the government, of which ERDA is part, in effect became a defendant. I would welcome any explanation of how any aspect of this came to be regarded as proper or even reasonable for ERDA.

Sincerely,

Harold Weisberg